

REMARKS

This is intended as a full and complete response to the Office Action dated September 22, 2004, having a shortened statutory period for response set to expire on December 22, 2004. Please reconsider the claims pending in the application for reasons discussed below.

In the specification, the paragraph on the bottom of page 13 starting at line 23 has been amended to correct minor editorial problems.

Claims 11-31 remain pending in the application and are shown above. Claims 11 - 31 are rejected by the Examiner. Claims 11, 20-23, and 26 are amended to clarify the invention. Reconsideration of the rejected claims is requested for reasons presented below.

Claims 11-15, 24 and 25 stand rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,496,862 (*Burns*). Applicant respectfully traverses the rejection. Claim 11 has been amended to emphasize the specification definition of branched olefins as polymers having alkyl groups containing 2 or more carbon atoms attached to a carbon backbone. *Burns* teaches including in the polymer blend 2 weight percent low density polypropylene, a compound that does not have alkyl groups having 2 or more carbon atoms attached to the carbon backbone. Therefore, *Burns*, alone or in combination, does not teach, show, or suggest polymers having alkyl groups containing 2 or more carbon atoms attached to a carbon backbone, as recited in claim 11, and claims dependent thereon. Withdrawal of the rejection is respectfully requested.

Claims 17-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,496,862 (*Burns*) in view of U.S. Patent No. 5,727,182 (*Burnell*). Applicant respectfully traverses the rejection. *Burns* does not teach styrenic selectively hydrogenated block copolymer wherein the vinyl content of the conjugated diene block is at least 35 mol% based on the total diene content. *Burnell* suggests using its composition for structural substitutes for metal in office equipment and automobile components. In fact, *Burnell* teaches styrenic block copolymers for use in foamable materials, but *Burnell* requires a hydrocarbon rubber extending oil in each composition

of styrenic block copolymers. Hydrocarbon rubber extending oils are undesirable in synthetic bottle stoppers, especially those used in the food and beverage industries with rigorous odor and taste standards. Therefore, *Burns* and *Burnell*, alone or in combination, do not teach, show, or suggest one or more thermoplastic elastomeric block copolymers, one or more polymers having alkyl groups containing 2 or more carbon atoms attached to a carbon backbone having a melt flow index of from 0.1 to 200 dg/min (at 2.16 kg/190°C, determined in accordance with ASTM D 1238), and a blowing agent, wherein the elastomer composition is oil-free and wherein each styrenic elastomeric block copolymer is a selectively hydrogenated block copolymer wherein the vinyl content of the conjugated diene block is at least 35 mol% based on the total diene content, as recited in claim 17, and claims dependent thereon. Withdrawal of the rejection is respectfully requested.

Claims 20-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,496,862 (*Burns*) in view of U.S. Patent No. 5,585,411 (*Hwo*). Applicant respectfully traverses the rejection. *Burns* does not teach a branched polyolefin that is poly-1-butene. *Hwo* teaches poly-1-butene combined with minority components including star copolymers that are interchangeable with conjugated diene block copolymers, olefinic rubber, and a foaming agent for use as a material in demanding temperature tolerance applications such as for refrigerators or HVAC insulation. Therefore, *Burns* and *Hwo*, alone or in combination, do not teach, show, or suggest at least one of the one or more polymers having alkyl groups containing 2 or more carbon atoms attached to the carbon backbone is a polymer of 1-butene, as recited in claim 20, and claims dependent thereon. Withdrawal of the rejection is respectfully requested.

Claims 26-31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,496,862 (*Burns*) in view of U.S. Patent No. 5,727,182 (*Burnell*), and further in view of U.S. Patent No. 5,585,411 (*Hwo*). Applicant respectfully traverses the rejection. *Burns* does not teach 10 to 100 parts by weight of a branched polyolefin selected from the group consisting of a polymer of 1-butene and a high melt strength polymer of propene. *Burnell* requires a hydrocarbon rubber extending oil in each composition of styrenic block copolymers. *Hwo* teaches a material in demanding

temperature tolerance applications such as for refrigerators or HVAC insulation. Therefore, *Burns*, *Burnell*, and *Hwo*, alone or in combination, do not teach, show, or suggest 100 parts by weight of a mixture of a selectively hydrogenated styrene/conjugated diene multi block copolymer and a selectively hydrogenated styrene/conjugated diene diblock copolymer, 10 to 100 parts by weight of a branched polyolefin selected from the group consisting of a polymer of 1-butene and a high melt strength polymer of propene, the branched polyolefin having a melt flow index of from 0.1 to 200 g/10min (at 2.16 kg/190 C, determined in accordance with ASTM D 1238), and a blowing agent in an amount of from 1 to 10 percent weight, based on the total weight of the foamed thermoplastic elastomer composition, wherein the foamed thermoplastic elastomer composition is oil-free as recited in claim 26, and claims dependent thereon. Withdrawal of the rejection is respectfully requested.

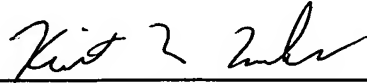
Applicant further traverses the rejection of dependent claims 12-25 and 26-31 on grounds that they depend on claims that recite patentable subject matter. Withdrawal of the rejection is respectfully requested.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the office action. Therefore, Applicant believes that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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